

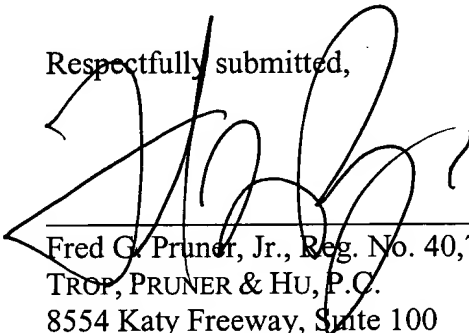
REMARKS

The Preliminary Amendment is being filed with a Request for Continued Examination after the decision by the Board dated September 22, 2005.

Newly-added claims 34-51 are patentable over the cited art. For example, the hypothetical combination of Kolarov and Zandi fails to teach or suggest regulating the generation of coded data whose associated bits indicate zerotree roots based on a predetermined rate. Thus, for at least this reason, the hypothetical combination fails to teach or suggest newly-added independent claims 34, 41 and 47. The remaining dependent claims are allowable for at least the reason that these claims depend from allowable independent claims.

The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.0210US).

Respectfully submitted,



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